

HAMILTON COUNTY BOARD OF COMMISSIONERS
OCTOBER 25, 2004

The Hamilton County Board of Commissioners met on Monday, October 25, 2004 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The commissioners met in Executive Session in Conference Room 1A at 12:15 p.m. President Dillinger called the public session to order at 1:10 p.m. A quorum was declared present of Commissioner Christine Altman and Commissioner Steven C. Dillinger. Commissioner Steven A. Holt was absent. The Pledge of Allegiance was recited.

Approval of Minutes

Altman motioned to approve the October 11, 2004 minutes. Dillinger seconded. Motion carried unanimously.

Executive Session Memoranda

Altman motioned to approve the Executive Session Memoranda for October 25, 2004. Dillinger seconded. Motion carried unanimously.

Bid Opening

Patching Contract 04-16

Mr. Michael Howard opened the bids for Asphalt Patching Contract 04-16, Various Roads in Jackson, Washington and Noblesville Townships. From 96, Non-Collusion Affidavit, Bid Bond, Financial Statement and Acknowledgment of Addendum were included unless otherwise specified. 1) Rieth-Riley - \$147,089.74. 2) E&B Paving - \$120,545.07. 3) Shelly & Sands - \$149,480.44. Financial Statement is on file at the highway department. 4) Grady Brothers - \$157,060.63. 5) Calumet Asphalt - \$101,000.00. Howard recommended the bids be forwarded to the highway department for review and recommendation later today. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Bid Award

Highway Vehicles

Mr. Brad Davis recommended the bids for the 4x4 Utility Vehicle (2) for the highway department be awarded to Dan Young, Tipton as the lowest responsive bidder in the amount of \$25,518.90 each. Davis recommended the bids for the 4x4 Regular Cab Pick Up Truck (2) be awarded to Hare Chevrolet in the amount of \$26,955.89 each. The lowest bidder left an item that was specified in the bid package and had a footnote that if the county wanted this item it would add to the price which made them the third lowest bidder. The second lowest bidder bid an alternate brand of snow plow, which we did not specify so the bid was rejected. This makes Hare Chevrolet as the lowest bidder. Altman motioned to accept the bid awards as presented. Dillinger seconded. Motion carried unanimously.

1997 Loader

Davis stated they highway department has a 1997 loader which is used for a variety of maintenance uses. It is not powerful enough to do one of the maintenance operations, we are currently doing, which is to utilize a grinding attachment to grind out areas of bad pavement. We have been renting a loader with that attachment at \$1,500 a week for approximately 4 weeks a year. Davis stated Southeastern Equipment has offered to take our old loader in trade so we can trade up to a more powerful model. They are offering us \$9,500 for the trade in towards the purchase. Davis requested permission to trade up and purchase the grinder attachment for \$23,800. The money is in the budget. Howard stated we need to send an RFP, anything over \$25,000 requires an RFP. Altman motioned to approve sending an RFP. Dillinger seconded. Motion carried unanimously.

Arbuckle Farms Variance

Mr. Mike Arbuckle and Mark Settlemire requested a variance for their proposed Frank Lloyd Wright inspired residential community located at 256th Street and Devaney Road. The variance requested is for curbless roads. There is 120 acres with an extensive amount of green space and common ground. To have the curbs would be a negative design element. Settlemire stated they are trying to achieve a park type setting. There are lots of walking paths with landscaping. Lot sizes are a minimum 1 ½ acres. Jim Neal stated they have met with the developer and the highway department can support the variance due to the rural nature and the size of the lots. The developer is aware that there will be open drains and additional right of way required by not having curbs. Altman motioned to grant the variance request. Motion carried unanimously.

Highway Business

Road Cut Permits

Neal requested approval of Open Road Cut Permits. RDCUT2004-031 - Indiana American Water on Summer Road 5,800' north of 156th Street for installation of a water main. RDCUT2004-0032 - Indiana American Water on Summer Road 40' north of 156th Street for installation of water main. Altman motioned to approve road cuts #4 & #5. Dillinger seconded. Motion carried unanimously. Altman asked to table the other road cuts until the next meeting. Dillinger seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Highway Department

Neal requested acceptance of Bonds and Letters of Credit for the highway department. 1) HCHD #B-04-0098 - Bond Safeguard Insurance Company Maintenance Bond No. 5013496 issued on behalf of Brenwick Development Company, Inc. in the sum of \$40,000 for Bridge #199 timber bridge package and installation for a period of five (5) years from date of acceptance to expire October 7, 2009. Altman motioned to accept. Dillinger seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department

Neal requested release of bonds and letters of credit for the highway department. 1) HCHD #B-02-0131 - Western Surety Company Bond No. 929201258 issued on behalf of Windemere Partners, LC for mill and wedge Geist Road and install asphalt pavement to proposed grade at current sag in road. (Permit #WKROW-2002-038). 2) HCHD #B-02-0141 - Gulf Insurance Company Bond No. B21869614 issued on behalf of Interstate Holdings, LLC for underground construction and utility pull off, Olivo Road and 126th Street in Fall Creek Twp. (Permit #COMDR-2002-038). 3) HCHD #B-03-0039 - Erie Insurance Company Bond No. Q887170135R issued on behalf of Stevens Custom Homes & Remodeling for a driveway cut 250' on SR 32 on Willow Road. (Permit #COMDR-2003-021). 4) HCHD #B-03-0056 - Bond Safeguard Insurance Company Bond No. 5003799 issued on behalf of Precedent Residential Development, LLC for Fox Hollow at Geist, Section 1 - road bore for sanitary sewer main under Creek Ridge Lane. (Permit #WKROW-2003-062). 5) HCHD #B-03-0079 - Safeco Insurance Company Bond No. 6223204 issued on behalf of Centex Homes for The Intracoastal at Geist, Section 1, landscaping sprinkler system in right of way. (Permit #WKROW-2003-084). 6) HCHD #B-03-0104 - Merchants Bonding Company Bond No. 6921 issued on behalf of Our Lady of Mt. Carmel for installation of school zone flashers at Our Lady of Mt. Carmel Church - dig holes and pour concrete base on 146th Street and Oak Ridge. (Permit #WKROW-2003-138). 7) HCHD #B-03-0135 - Bond Safeguard Insurance Company Bond No. 5006306 - street signs in Fox Hollow at Geist, Section 1, issued on behalf of Precedent Residential Development. 8) HCHD #B-03-0138 - Bond Safeguard Insurance Company Bond No. 5006308 issued on

HAMILTON COUNTY BOARD OF COMMISSIONERS
OCTOBER 25, 2004

behalf of Precedent Residential Development for Fox Hollow at Geist, temporary stone driveway on 96th Street construction. (Permit #COMDR-2003-041). 9) HCHD #B-03-0145 - Bond Safeguard Insurance Company Bond No. 5007016 issued on behalf of Brenwick Development Company for Bridge #199 - timber bridge package & installation. 10) HCHD #B-03-0156 - Lexon Insurance Company Bond No. 1002841 issued on behalf of Interstate Holdings, for landscaping, irrigation and sidewalk work in county right-of-way. (Permit #WKROW-2003-201). Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Agreements

Small Structure #31002, 216th Street over Finley Creek:

Neal requested approval of Engineering Agreement, HCHD #E-04-0009, for Small Structure #31002, 216th Street over Finley Creek with Butler, Fairman and Seufert, Inc. Altman motioned to accept the contract. Dillinger seconded. Motion carried unanimously.

Acceptance of Streets

Intracoastal at Geist Subdivision, Sections 2A, 2B, 3A and 4A:

Neal requested acceptance of streets in the Intracoastal at Geist, Sections 2A, 2B, 3A and 4A for a total 0.48 miles. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Concurrence with Traffic Study Correspondence:

Neal requested concurrence with the list of correspondence concerning investigations of requests for signage on Hamilton County roads. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Official Actions [1:28:18]

Intracoastal at Geist, Sections 2A, 2B, 3A and 4A Regulatory Signs:

Neal requested approval of an official action to install regulatory signs in Intracoastal at Geist, Sections 2A, 2B, 3A and 4A. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Shelborne Road Regulatory Signs:

Neal requested approval of an official action to install regulatory signs on Shelborne Road from 121st Street to 131st Street establishing a 45 mph speed limit with the exception of the current 25 mph school zone. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Six Points Road:

Neal requested approval of an official action to repeal the 10,000 lb weight limit on Six Points Road from 131st Street to 136th Street. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

146th Street and Cool Creek Commons Regulatory Traffic Signals:

Neal requested approval of an official action to install regulatory traffic signals at 146th Street and Cool Creek Commons. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Little Eagle Creek Avenue Closure:

Neal requested permission to close Little Eagle Creek Avenue between 166th Street and Towne Road for a period of 5 weekdays for under drain installation and pavement repair. The closure is expected to begin on or after October 27, 2004. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

106th Street and College Avenue:

Altman asked for an update on 106th Street and College Avenue. Neal stated the rain this weekend has set the project back a little bit. They started paving this morning. They had to stop because some of it was still wet. They are still hoping to have it open by November 1st.

Bid Award

Patching Contract 04-16:

Neal requested the bid for Patching Contract 04-16 be awarded to Calumet Asphalt as the lowest responsive bidder. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Highway Storage Building:

Davis requested approval of a change in date for the bid opening of the highway storage building. He would like to change that to November 15, 2004. They will go to the Noblesville Board of Public Works tomorrow for permission to build the sewer line. Davis stated the bids will be opened at 1:00 p.m. on November 15, 2004 at the highway department.

Washington Township Parks Department:

Davis stated he has spoken with Melody Sweat of the Washington Township Parks Department regarding MacGregor Park. Ms. Sweat is in the process of setting up another meeting with INDOT and the people in the Westfield area to discuss this issue. She would like the county to attend that meeting.

Highway Meeting:

Davis stated the highway department has nothing to discuss for this Friday's highway meeting. The commissioners canceled the highway meeting.

Bid Award

Sheriff Vehicles Laptop Computers:

Ms. B.J. Casali stated we only received one bid for the Sheriff vehicles laptops. She did contact the vendors that she sent specifications to and they both felt they could not give as competitive price that the vendor they felt was going to give. You are dealing with the same Panasonic representative if you are dealing with Panasonic Toughbooks. She also contacted one of the vendors for a comparable piece of equipment and from the pricing off of the State contract the cost is comparable between the Toughbook and the HP PC's. Ms. Casali recommended the bid be awarded for the 54 Panasonic Toughbooks for the Sheriff's in car computers be awarded to CDW Office Technologies in the amount of \$318,000.00. Altman motioned to accept the bid award as accepted. Dillinger seconded. Motion carried unanimously. Ms. Casali asked if it is agreeable that she issue a purchase order, there is no contract? The commissioners agreed.

Administration Assistant

Heaters and Fans:

Altman stated there has been an issue with respect to employees bringing personal heaters and fans to vary the temperature in their work area. Altman stated household grade equipment is being brought in, which could be a fire hazard. The other issue is the fighting of the individual equipment verses the building's heating and cooling. Jeff Rushforth has requested guidance. Altman offered to meet with Rushforth to bring recommendations back to the commissioners. Dillinger agreed.

Commissioners State Association Meeting:

HAMILTON COUNTY BOARD OF COMMISSIONERS
OCTOBER 25, 2004

Swift stated the County Commissioners State Association meeting is November 30 - December 2, 2004. Altman asked Swift to register her.

Santa House:

Swift stated the historical society has requested permission to bring the Santa House onto the courthouse lawn from mid November to the end of the year. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Auditor [1:40:47]

Vendor Claims:

Ms. Dawn Coverdale requested approval of the Vendor Claims to be paid October 26, 2004. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Drainage Board:

Coverdale requested the release of Bonds and Letters of Credit for the drainage board. 1) HCDB-2002-00320 - Gulf Insurance Company Subdivision Bond No. B21856968 for Claybourne Section Subdivision, Section 1 erosion control - \$71,425.00. 2) HCDB-2002-00319 - Gulf Insurance Company Subdivision Bond No. B21856970 for Claybourne Section 1, for storm sewers and subsurface drains - \$540,182.00. 3) HCDB-L01-011 - Union Planters Bank Irrevocable Standby Letter of Credit No. L013696 for Windsor Grove, Section 1 erosion control - \$22,000.00. 4) HCDB-L01-013 - Union Planters Bank Irrevocable Standby Letter of Credit No. L013698 for Windsor Grove Section 1 - storm sewers and subsurface drains - \$145,000.00. 5) HCDB-2004-00051 - Bond Safeguard Insurance Company Subdivision Bond No. 5012452 for West Oak Industrial Park Subdivision storm sewers - \$67,870.00. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Tax Sale:

Altman stated we had the County Tax Sale and it netted more than \$11 million.

Acceptance of Bonds/Letters of Credit - Drainage Board:

Coverdale requested the acceptance of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-2004-00070 - Bond Safeguard Insurance Company Subdivision Performance Bond No. 5012514 for the Village of West Clay, Section 5001.storm sewer - \$97,704.00. 2) HCDB-2004-00071 - Bond Safeguard Insurance Company Subdivision Performance Bond No. 5012515 for the Village of West Clay, Section 5001 - erosion control - \$31,000.00. 3) HCDB-2004-00072 - Bond Safeguard Insurance Company Subdivision Performance Bond No. 5012516 for the Village of West Clay, Section 5001 - monuments and markers - \$1,500.00. 4) HCDB-2004-00081 - Lexon Insurance Company Subdivision Bond No. 1009217 for Stanford Park, Section 1 - storm sewer, monuments and markers, SSD and erosion control - \$342,200.00. 5) HCDB-2004-00082 - Lexon Insurance Company Subdivision Bond No. 1009224 for Stanford Park Section 3 - storm sewer, monuments and markers, SSD and erosion control - \$243,500.00. 6) HCDB-2004-00083 - Bond Safeguard Insurance Company Subdivision Bond No. 5011956 for Brookside Section 3 - storm sewer - \$111,051.00. 7) HCDB-2004-00087 - Bond Safeguard Insurance Company Subdivision Bond No. 5012771 for the Vestal Reconstruction through Cherry Creek Estates Section 4 - \$105,000.00. 8) HCDB-2004-00085 - Bond Safeguard Insurance Company Subdivision Bond No. 5012815 for Claybourne Section 3 - storm sewer and subsurface drain - \$207,322.50. 9) HCDB-2004-00086 - Bond Safeguard Insurance Company Subdivision Bond No. 5012808 for Claybourne Section 3 - erosion control - \$116,600.00. 10) HCDB-2004-00087 - Bond Safeguard Insurance Company Subdivision Bond No. 5012807 for Claybourne Section 3 - monuments and markers - \$3,570.00. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Treasurer's Monthly Report:

Coverdale requested acceptance of the County Treasurer's Monthly Report for September 2004. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Payroll Claims:

Coverdale requested approval of the Payroll Claims for September 27 - October 10, 2004 paid October 22, 2004.

IDEM Contract for Services - Little Cicero Creek Watershed:

Howard stated the Drainage Board approved a contract for services with IDEM for a watershed management plan for the Little Cicero Creek Ditch/Taylor Creek and Little Cicero Creek-Teter Branch Watershed. The contract should have been approved by the commissioners. Howard requested ratification of the contract. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Employees Working in Multiple Jobs/Dual Employment:

Howard requested approval of a memo to be sent to the elected officials and department heads explaining the calculation of compensation for employees working in multiple jobs or dual employment. Altman motioned to accept the memo for release. Dillinger seconded. Motion carried unanimously.

Bridge #60 Right of Way Agreement - Gary & Georgiana Black:

Howard requested approval of an agreement with Gary Black and Georgiana Black, Husband and Wife granting temporary right of way, certain permanent right of way and a permanent easement for improvements to Bridge #60. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Common Wage Committee Appointment - City of Noblesville:

Howard requested Mark Boise be appointed to the City of Noblesville Common Wage Committee. Altman motioned to appoint Mr. Boise as our representative. Dillinger seconded. Motion carried unanimously.

Juvenile Detention Center:

Howard stated the Juvenile Detention Center Bond Issue closed last week. Howard requested approval of construction contracts for the Juvenile Detention Center with Teton Corporation for landscaping in the amount of \$129,700.00; T.P. Mechanical Contractors, Inc. for the mechanical contract in the amount of \$3,549,980.00; Hoosier Pre-Stress for pre-cast concrete services in the amount of \$494,960.00; Crown Corr Corporation for roofing work in the amount of \$1,744,500.00; Calumet Asphalt for paving services in the amount of \$58,681.00 and Harco Asphalt Paving for milling and resurfacing in the amount of \$262,631.00. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Change Order - Juvenile Detention Center:

Captain Dan Stevens requested approval of a change for the Juvenile Detention Center with Gradex, Inc. This order is for adding a 6' concrete sidewalk and sidewalks on Cumberland Road which were required by the City of Noblesville in the amount of \$17,730.00. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. Altman asked Stevens to get the commissioners the contract amounts, list each change order and update it so they can keep track of the project.

HAMILTON COUNTY BOARD OF COMMISSIONERS
OCTOBER 25, 2004

Commissioner Committee Reports [1:54:22]

Homeland Security Grant:

Altman stated she is continuing to work on the Homeland Security Grant (urban). A concern is the interoperability aspect of our system and our interface with Marion County. Our technical people are continuing to work on that. There may be some policy decisions down the road.

Clean Air Act:

Altman stated they are still working on the Clean Air Act. They have not reviewed all the mitigating techniques, but they should be done by the end of the year and then come back with recommendations.

Regional Transit Authority:

Altman stated the county council adopted the Regional Transit Authority for Hamilton County.

Law Library Remodeling: [1:57:04]

Dillinger stated the commissioners received a memo from the judges regarding a proposal for the law library remodeling. Altman motioned to approve the memorandum of agreement dated October 25, 2004 which outlines the plans for the second and third floor and room usage. Altman stated what it calls for is subject to funding availability that we would build out two equal mediation rooms within the existing law library, the judges requested glass to the extent that we can provide glassed in areas for openness. This will pull out the existing law clerk space for an additional conference room. They want to have both conference areas equal. Altman reviewed the proposal on the drawing with Larry Dawson and John Barbee of Envoy. Altman stated the other request of the judges is in the existing area adjacent to Superior Court 1 they would like phone lines and Internet access in that area to open that up as a common room for members of the bar association to do limited research and have an area for work space. Altman stated when we get the next judge this commitment would be to build out the hearing rooms for Superior 1 and 2 at that time. In which case that meeting area would be eliminated and not replaced. They would be built out subject to a levy increase and funding for the new court. Dillinger seconded. Motion carried unanimously. Dillinger informed Envoy that as soon as the law books are moved we are ready to go.

Animal Shelter: [2:01:52]

Larry Dawson asked what the status is on the animal shelter. Altman stated the commissioners would like a copy of the most recent plans. Swift stated Cripe is supposed to be sending Scott Warner the updated plans for the animal shelter. Swift stated Commissioner Holt is meeting with Cripe on Thursday and presumably the humane society will have reviewed the plans and get their comments to Cripe. Swift stated an agreement was reached between the commissioners, humane society and spay/neuter representatives that the spay/neuter clinic would be included in the animal shelter building. Altman stated the consensus was to incorporate the humane society and the spay/neuter clinic with shared reception, etc. Share as much space as they can to save costs but spay/neuter will have a separate surgery area. Swift stated there have been mixed signals on the metal buildings, at first there was two, then one, then none. Now we are at one building. Dillinger stated hopefully there will be an agreement on Thursday. If they don't we will set a meeting for all three of the commissioners and we will give Envoy definite direction. Dillinger stated the commissioners will get Envoy a definitive answer after Thursday's meeting.

Juvenile Detention Center Update:

Envoy stated the Juvenile Detention Center project is moving forward. They are meeting with the Auditor this week to discuss the transfer of funds. Altman asked Captain Stevens to find out the status of the rental rates.

Escrow Agreement - Al Porter Commercial Painting, Inc.:

Howard requested approval of an Escrow Agreement for Al Porter Commercial Painting for an escrow account at U.S. Bank. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Altman motioned to adjourn the meeting. Dillinger seconded. Motion carried unanimously.

HAMILTON COUNTY BOARD OF COMMISSIONERS
OCTOBER 25, 2004

Correspondence

Town of Arcadia Letter of Support for Stormwater Phase II
Notice of Public Hearing:
 Noblesville Properties - City of Noblesville
Indiana State Department of Health Approval:
 Plans and Specifications for Juvenile Detention Center
IDEM Notice of Sewer Permit Applications:
 Cherry Creek Estates, Sections 6A & 6B - Carmel
 Hawks Landing at Gray Eagle, Section 2 - Fishers
 Brookside Subdivision, Section 4A - Westfield
IDEM Portable Source Relocation Letter:
 Aggregate Resources, Inc.
IDEM Notice of Decision:
 Aggregate Resources, Inc. - Approved

Present

Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Dawn Coverdale, Chief Deputy Auditor
Kim Rauch, Administrative Assistant to Auditor
Fred Swift, Administrative Assistant to Commissioners
Michael A. Howard, Attorney
Brad Davis, Highway Director
Jim Neal, Highway Engineer
Virginia Hughes, Administrative Assistant to Highway Engineer
Amber Emery, Highway Public Service Representative
Dave Lucas, Highway Inspector
Robert Chadwell, Highway Inspector
Steve Broermann, Highway Technical Engineer
Mark Fisher, Highway Technical Engineer
Christopher Burt, Highway Staff Engineer
Tim Knapp, Highway Right-of-Way Specialist
Joel Thurman, Highway Project Engineer
Matt Knight, Highway Staff Engineer
Mike McBride, Small Structure Staff Engineer
Faraz Kahn, Highway Department
Kathy Howard, Highway Department
Bob Davis, Highway Superintendent
Becki Wise, USI
Michael Arbuckle, Arbuckle Farms
Dave Richter, United Consulting Engineers
Mark Settlemyre, Arbuckle Farms
Floyd Burroughs, FEBA
Larry Dawson, Envoy
John Barbee, Envoy
Jim Gillaspy, Indianapolis Star
Robert Hansen, Noblesville Daily Times
BJ Casali, ISSD Manager

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Robin M. Mills, Auditor